

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

RESOLUTION NO. 2017-047

**A RESOLUTION APPROVING THE AGREEMENT FOR TRANSFER
OF MUNICIPAL COURT JURISDICTION AND FOR MUNICIPAL
COURT SERVICES BETWEEN FULTON COUNTY, GEORGIA AND
THE CITY OF SOUTH FULTON, GEORGIA**

WHEREAS, Fulton County, Georgia (the "County") is a constitutionally created political subdivision of the State of Georgia; and

WHEREAS, the City of South Fulton (the "City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, City residents are County residents, and the County and the City desire to maintain a mutually beneficial, efficient and cooperative relationship that will promote the interests of the citizens of both jurisdictions; and

WHEREAS, the City Council is authorized by O.C.G.A. § 36-32-1, *et seq.* to establish and maintain a municipal court having jurisdiction over the violation of City ordinances and over such other matters as are by general law made subject to the jurisdiction of municipal court;

WHEREAS, pursuant to City Charter Sections 5.10 and 5.13, the City is authorized to create a municipal court for the purpose of serving the City by punishing violations of the City Charter, City ordinances, and other such violations as provided by law;

WHEREAS, Section 7.16(d) of the City Charter provides that, absent to an agreement to the contrary, the Municipal Court has limited jurisdiction during the twenty-four month transition period;

WHEREAS, the City requests that the County transfer all necessary court jurisdiction to the Municipal Court of South Fulton on September 1, 2017, prior to the expiration of the twenty-four month transition period;

WHEREAS, the County agrees to convey all necessary court jurisdiction to the Municipal Court of South Fulton on September 1, 2017;

WHEREAS, the City desires to use the County's Magistrate Judges to provide municipal court services for the City's Municipal Court pursuant to O.C.G.A. § 15-10-151 *et seq.*;

WHEREAS, the County desires to offer the City the services of the County's Magistrate Judges to provide municipal court services for the City's Municipal Court pursuant to O.C.G.A. § 15-10-151 *et seq.*;

WHEREAS, the County and City desire to enter into an Intergovernmental Agreement for the County to provide municipal court services within the boundaries of South Fulton for a period not to exceed _____; and

WHEREAS, the City finds it to be in the public interest and for the health, safety, welfare, and well-being of the City and its inhabitants to establish a municipal court to hear such matters;

BE IT HEREBY RESOLVED by the Mayor and City Council that:

1. The aforesaid recitals are not mere recitals, but are material portions of this Resolution.
2. The Mayor is authorized to enter into the following Intergovernmental Agreement for the Provision of Certain Services between Fulton County, Georgia and The City of South Fulton, Georgia, which has been negotiated by the Interim City Manager and the Interim City Attorney and is attached as an exhibit to this resolution.

The foregoing Resolution No. **2017-047** adopted on **August 30, 2017** was offered by Councilmember **Willis**, who moved its approval. The motion was seconded by **Mayor Pro Tem Rowell**, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____√_____	_____
Carmalitha Lizandra Gumbs	_____√_____	_____
Helen Zenobia Willis	_____√_____	_____
Gertrude Naeema Gilyard	_____√_____	_____
Rosie Jackson	_____√_____	_____
khalid kamau	_____√_____	_____
Mark Baker	_____√_____	_____

THIS RESOLUTION adopted this 30th day of August 2017. CITY OF
SOUTH FULTON, GEORGIA



WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:



MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:



JOSH BELINFANTE, INTERIM CITY ATTORNEY